

HOUSE No. 1671

By Mr. Bosley of North Adams, petition of Daniel E. Bosley and Robert A. O’Leary relative to hydroelectric facilities in the commonwealth. Telecommunications, Utilities and Energy.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO ELECTRICITY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 11F of Chapter 25A of the General Laws,
2 as appearing in the 2002 Official Edition, is hereby amended by
3 adding after the word “facility” in line 20 the following:—
4 or is an existing small scale hydroelectric facility as defined in
5 sub-section (b), clause (vii) herein.

1 SECTION 2. Section 11F of Chapter 25A of the General Laws,
2 as appearing in the 2002 Official Edition, is hereby amended by in
3 line 26 by striking clause (vii) and inserting in place thereof the
4 following:—
5 (vii) naturally flowing water and run of river hydroelectric
6 located in the Commonwealth and operating under the jurisdiction
7 of the Federal Energy Regulatory Commission;

1 SECTION 3. Section 11F of Chapter 25A of the General Laws,
2 as appearing in the 2002 Official Edition, is hereby amended by in
3 line 33 the words “clauses (vi) and (vii)” and inserting in place
4 thereof the following:—
5 clause (vi) and any installation within clause (vii) with a gener-
6 ating capacity in excess of 1500 kilowatts or a generating capacity
7 in excess of 1000 kilowatts, unless such facilities are responsible
8 for the ongoing maintenance and repair of federally approved fish
9 migration facilities.